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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/523,044	03/10/2000	Takao Chihara	1503.63657	4484

7590

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EXAMINER

PILLAI, NAMITHA

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 07/30/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/523,044

Applicant(s)

CHIHARA ET AL.

Examiner

Pillai, Namitha

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: S22 and S23. A proposed drawing correction preferably in red ink, or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Objections*

2. Claim 1 is objected to because of the following informalities: There are inconsistencies in regards to graphical user interface and its acronym GUI. The use of one form is suggested for all claims. If the acronym GUI is chosen, a proper definition of the acronym is necessary when it is used initially. Appropriate correction is required.
3. Applicant is advised that should claim 1 be found allowable, claim 12 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k). Applicant is suggested to cancel claim 12 to avoid objections in the future.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 3-5 recite the limitation "a control name" in regards to what the naming unit will specify. Proper antecedence has not been given to the "control name" previously recited in the claims. It is not clear whether the "control name" recited in claim 3 is the same as the "control name" in claim 1 or a second "control name." Claim 11 also has the same problem.

Claims 6-8 depend from rejected claims 4 and 5 and include all of the limitations of claims 4 and 5 thereby rendering these dependent claims indefinite.

5. A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. Claims 6 and 7 are rejected as being indefinite for the use of alternative limitations (ie., "adds specific character string to a registered control name or control name to be specified in such a way that the name may not be the same as an already registered control name") is not permitted in the claims. The claims must be amended to include positive limitations, clearly reciting what applicant regards as the invention. In the present instance, claims 6 and 7 recite the broad recitation "control name to be specified in such a way that the name may not be the same as an already registered control name", and the claims also recite, "adds a specific character string to a registered control name" which is the narrower statement of the range/limitation.

*Claim Rejections - 35 USC § 102*

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 6,061,516 (Yoshikawa et al.).

Referring to claims 1, 9 and 12 Yoshikawa discloses a GUI screen generating apparatus by using a screen definition information generator (column 3, lines 14-17). This screen definition information generator can be interpreted as the extraction unit that is claimed in claims 1, 9 and 12. Yoshikawa also discloses the display information setting generator (column 7, lines 18-21), which can be interpreted as the naming unit that is claimed in claims 1, 9 and 12.

Referring to claim 2, Yoshikawa discloses that the name of a field is based on the field character string. See column 6, lines 42-45.

Referring to claims 3-5, Yoshikawa discloses that the information on the GUI screen is determined by the names of the data from the screen and the distinction of whether the data in question is input, output or both. See column 3, lines 44-48. Yoshikawa also discloses that the name of a field will also be based on its location on the screen and its neighboring fields. See Figures 3 and 4.

Referring to claims 6 and 7, Yoshikawa discloses that a predetermined fixed string of characters will be chosen (column 19, line 11). Yoshikawa also discloses that there will be a name of a field for identifying each individual field on a screen (column 19, lines 4-6).

Referring to claim 8, Yoshikawa discloses that for "the name of a screen or the name of a field, the string characters generally abides by a naming rule." See column 19, lines 35-38.

Referring to claim 10, Yoshikawa discloses a program, which will generate a GUI screen. See column 2, line 5. The screen definition information generator (column 3, lines 14-17) is the extraction unit that is claimed in claim 10. Yoshikawa also discloses that the information acquired from this screen definition information generator is used to set the field names of the GUI screen (column 7, lines 18-30).

Referring to claim 11, Yoshikawa discloses that the name of a field is based on the field character string. See column 6, lines 42-45. Yoshikawa also discloses that the information on the GUI screen is determined by the names of the data from the screen (column 3, lines 41-46).

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*Conclusion*

7. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach the need for conversion from character user interfaces to graphical user interfaces and similar approaches to specifying the control names.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, (703) 746-7238 may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

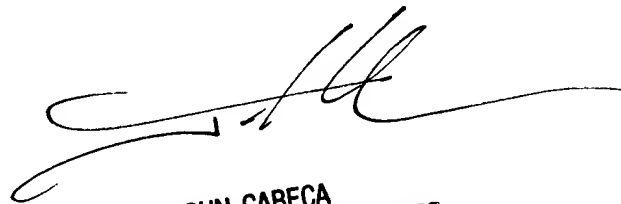
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai

Assistant Examiner

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7/12/02



JOHN CABECA  
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